

UNITED STATES OF AMERICA
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

21 Cr. 277 (PAE)

-against-

ORDER

ARWA MUTHANA,

Defendant.

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WHEREAS the Metropolitan Detention Center (“MDC”) has agreed to provide meaningful access for Arwa Muthana, the above-referenced defendant, to review discovery and other case materials; and

WHEREAS measures can be taken for Ms. Muthana to review case materials on a laptop computer without jeopardizing the security and operational interests of the MDC;

IT IS HEREBY ORDERED that:

1. Ms. Muthana will have access at the MDC’s visiting room to an “air-gapped” laptop computer (the “Laptop”) that is disabled from accessing the internet, local area networks, or other electronic devices;
2. Upon receipt of an acceptable laptop computer from counsel for Arwa Muthana, the Government shall: (a) ensure that the laptop is appropriately “air-gapped” and compatible with the MDC’s security requirements; (b) load all of the discovery including Jencks Act material and materials that have been designated “sensitive discovery material”; and (c) deliver the laptop containing the discovery to the proper authorities at the MDC, within 72 hours of completing the task described in 2(a);
3. The Laptop shall be password-protected and maintained in a location acceptable to Bureau of Prisons personnel;
4. Bureau of Prisons personnel will provide Ms. Muthana with access to the Laptop at the MDC’s visiting room for at least 25 hours per week (with an effort to provide

Ms. Muthana access on a daily basis). Access to the Laptop at the MDC's visiting room shall be in addition to time Ms. Muthana can review discovery in her unit;

5. This Order shall remain in effect until the case is completed and a copy of this Order shall be made available to any unit where Ms. Muthana is housed, whether in the Segregated Housing Unit ("SHU") or otherwise;

6. Ms. Muthana shall execute an agreement setting forth his understanding that: (a) she may use the Laptop for the sole purpose of reviewing discovery and legal materials that relate to her criminal case; (b) that she shall not share the Laptop or the materials loaded onto the Laptop with other inmates or with any attorney not appointed to this case without an order of this Court, and she may not show or otherwise disseminate any of the materials or contents of these materials with any other inmate, staff, or other persons, other than her attorneys appointed to this case, without an order of this Court; (c) that she will not access or attempt to access the internet or any form of wireless communication; (d) that she will forfeit her right under this Order to use the Laptop in the future, and that she may expose herself to criminal prosecution for possessing or distributing a "prohibited object" as that term is defined in 18 U.S.C. § 1791(d), should she violate any of these understandings; and (e) that for all materials designated as "Confidential" pursuant to the Protective Order in this matter, Ms. Muthana will adhere to the terms of that order.

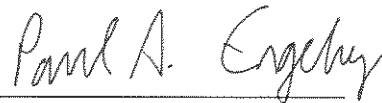
7. Within forty-eight hours of Ms. Muthana's execution of the agreement and the MDC's receipt of the Laptop from the Government, whichever is later, Ms. Muthana shall be permitted access to the Laptop, subject to the following conditions:

- a. Ms. Muthana shall have access to the Laptop at the MDC's visiting room for at least 25 hours per week (with an effort to provide Ms. Muthana access on a daily basis);
- b. Ms. Muthana should be allowed to maintain possession of her hard drives

and CDs, which are needed to access the discovery; and

c. Ms. Muthana shall not have possession of any charging apparatus or cord that connects to the laptop.

SO ORDERED:

A handwritten signature in cursive script, reading "Paul A. Engelmayer", written over a horizontal line.

Hon. Paul A. Engelmayer

United States District Judge

Dated: November 15, 2021